



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,940	01/15/2004	Stephen G. Moore	14846-25	4644

7590 12/26/2007
MICHAEL B. JOHANNESSEN, ESQ.
LOWENSTEIN SANDLER PC
65 LIVINGSTON AVENUE
ROSELAND, NJ 07068

EXAMINER

FERTIG, BRIAN E

ART UNIT	PAPER NUMBER
----------	--------------

4124

MAIL DATE	DELIVERY MODE
-----------	---------------

12/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/757,940

Applicant(s)

MOORE ET AL.

Examiner

Brian Fertig

Art Unit

4124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/17/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,4-7,12-15 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,787,402 to Potter, 1998 (Potter).

With respect to claim 1

Potter teaches:

A method for pricing a trade comprising:

providing a user input for entering trade data (inputting information see col 3, line 22);

providing a structure for receiving said trade data (new order entry screen, see col 13, lines 34-43 and Fig 24);

transmitting said structure to a pricing system (request a spot rate, see col 7, lines 44-52);

receiving said structure from said pricing system (The FX Trade Server then relays the requested rate quotation to the client PC, see col 7, lines 53-67);

displaying said structure with said trade data including pricing information (When the rate is received, the Term of the currency will be displayed, see col 8, lines 1-5).

With respect to claim 4

Potter teaches:

A method in accordance with claim 1 (see rejection of claim 1 above) wherein providing a user input for entering one or more trades comprises translating data representing one or more trades from a user treasury system into a form suitable for use in said structure (inputting information see col 3, line 22 Note that the input action translates the conceptual order, including the goals and aims of the purchaser, into the specific inputs to be processed by the system).

With respect to claim 5

Potter teaches:

A method in accordance with claim 1 (see rejection of claim 1 above) wherein displaying said structure comprises translating data from said structure into data representing one or more trades in a user treasury system (transaction view, see col 10, lines 51-60 and Fig 18).

With respect to claim 6

Potter teaches:

A method in accordance with claim 1 (see rejection of claim 1 above) wherein providing a user input for entering trade data comprises providing

Art Unit: 4124

a user input for entering trade data directly into said structure (various terminals, see col 3, lines 20-26).

With respect to claim 7

Potter teaches:

A method for pricing a trade comprising:

providing a user input for entering trade data into a structure at a user system (inputting information see col 3, line 22);

transmitting said structure to a pricing system (request a spot rate, see col 7, lines 44-52);

pricing said trade data at said pricing system (system then automatically generates an offer, see col 3, lines 26-31);

adding said pricing data to said structure at said pricing system (stores a time-stamped copy of the rate quotation, see col 7, lines 53-56);

transmitting said structure to said user system (relays the requested rate quotation to the client PC, see col 7, lines 53-67);

displaying said trade data and said pricing data at said user system (the Term of the currency will be displayed by the client, see col 8, lines 1-5).

With respect to claim 12

Potter teaches:

Art Unit: 4124

A method in accordance with claim 7 (see rejection of claim 7 above) wherein providing a user input for entering trade data comprises translating data representing one or more trades from a user treasury system into a form suitable for use in said structure (inputting information see col 3, line 22 Note that the input action translates the conceptual order, including the goals and aims of the purchaser, into the specific inputs to be processed by the system).

With respect to claim 13

Potter teaches:

A method in accordance with claim 7 (see rejection of claim 7 above) wherein displaying said structure comprises translating data from said structure into data representing one or more trades in a user treasury system (transaction view, see col 10, lines 51-60 and Fig 18).

With respect to claim 14

Potter teaches:

A method in accordance with claim 7 (see rejection of claim 7 above) further comprising: storing said trade data at said pricing system (stores a time-stamped copy of the rate quotation, see col 7, lines 53-56).

With respect to claim 15

Potter teaches:

A method in accordance with claim 14 (see rejection of claim 14 above) further comprising: executing one or more trades using said trade data

Art Unit: 4124

stored at said pricing system (the FX Trade Server sends a copy of the trade to the Multibank Confirmation and Settlement System, see col 8, lines 19-67).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 2, 3, and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Potter in view of US Patent Application Publication 2002/0156719 to Finebaum, filed Nov 15, 2001 (Finebaum).

With respect to claim 2

Potter teaches a method in accordance with claim 1 (see rejection of claim 1 above), but does not teach:

Art Unit: 4124

further comprising: encrypting said structure before transmitting said structure to a pricing system

Finebaum teaches:

further comprising: encrypting said structure before transmitting said structure to a pricing system (see par 31 and 50) in order to allow only authorized users to access the system (see par 31).

It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to provide method of pricing a trade taught by Potter with the encryption steps taught by Finebaum in order to allow only authorized users to access the system as explicitly taught by Finebaum (see par 31).

With respect to claim 3

Potter as modified by Finebaum teaches:

A method in accordance with claim 1 (see rejection of claim 1 above) further comprising: decrypting said structure after receiving said structure from said pricing system (see par 31 and 50 Note it is inherent in an encrypted communication system that the intended receiver of the communication decrypt it.). (see rational for obviousness and motivation to combine in claim 2)

With respect to claim 8

Potter as modified by Finebaum teaches:

A method in accordance with claim 7 (see rejection of claim 7 above) further comprising: encrypting said structure at said user system before

transmitting said structure to said pricing system (see par 31 and 50). (see rational for obviousness and motivation to combine in claim 2)

With respect to claim 9

Potter as modified by Finebaum teaches:

A method in accordance with claim 8 (see rejection of claim 8 above) further comprising: decrypting said structure at said pricing system after receiving said structure from said user system (see Finebaum par 31 and 50 Note it is inherent in an encrypted communication system that the intended receiver of the communication decrypt it.). (see rational for obviousness and motivation to combine in claim 2)

With respect to claim 10

Potter as modified by Finebaum teaches:

A method in accordance with claim 7 (see rejection of claim 7 above) further comprising: encrypting said structure at said pricing system before transmitting said structure to said user system (see par 31 and 50). (see rational for obviousness and motivation to combine in claim 2)

With respect to claim 11

Potter as modified by Finebaum teaches:

A method in accordance with claim 10 (see rejection of claim 10 above) further comprising: decrypting said structure at said user system after receiving said structure from said pricing system (see par 31 and 50 Note it is inherent in an encrypted communication system that the intended

Art Unit: 4124

receiver of the communication decrypt it.). (see rational for obviousness and motivation to combine in claim 2)

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Fertig whose telephone number is (571) 270-5131. The examiner can normally be reached on Monday - Friday 8:30am to 5:00pm EST.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Bomberg can be reached on (571) 272-4922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



MARY D. CHEUNG
PRIMARY EXAMINER

-bf